

October 8, 2018

**Gregory J. Bautista**  
914.872.7839 (direct)  
Gregory.Bautista@wilsonelser.com

**Acting Attorney General Barbara Underwood  
New York State Attorney General's Office**

Security Breach Notification  
Internet Bureau  
120 Broadway - 3rd Floor  
New York, New York 10271  
breach.security@ag.ny.gov

**New York State Division of State Police**

Security Breach Notification  
New York State Intelligence Center  
630 Columbia Street Ext  
Latham, New York 12110  
risk@nysic.ny.gov

**New York State Department of State  
Division of Consumer Protection**

Attn: Director of the Division of Consumer Protection  
Security Breach Notification  
99 Washington Avenue, Suite 650  
Albany, New York 12231  
security\_breach\_notification@dos.ny.gov

Re: Data Security Incident

Dear Acting Attorney General Underwood:

We represent McGlinchey Stafford, PLLC with respect to an incident involving the potential exposure of certain personal information described in detail below.

**1. Nature of the possible security breach or unauthorized use or access**

On September 7, 2018, McGlinchey Stafford, PLLC discovered that individuals' personal information may have been obtained by an unauthorized third party as the result of a phishing attack. After learning that spam emails were sent from an employee's email account to other employees in the firm, McGlinchey Stafford, PLLC immediately engaged computer experts to determine whether information in the account was at risk. The investigation determined that an unknown, unauthorized third party gained access to the employee's account, and could have viewed documents that contained individuals' names and Social Security numbers.

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1133 Westchester Avenue • White Plains, NY 10604 • p 914.323.7000 • f 914.323.7001

Albany • Atlanta • Austin • Baltimore • Beaumont • Boston • Chicago • Dallas • Denver • Edwardsville • Garden City • Hartford • Houston • Indiana • Kentucky  
Las Vegas • London • Los Angeles • Miami • Michigan • Milwaukee • Missouri • New Jersey • New Orleans • New York • Orlando • Philadelphia • Phoenix  
San Diego • San Francisco • Sarasota • Stamford • Virginia • Washington, DC • Wellington • White Plains

**wilsonelser.com**

**2. Number of New York residents potentially affected**

Approximately six (6) New York residents were affected in this potential incident. McGlinchey Stafford, PLLC sent the potentially impacted individuals a letter notifying them of this incident on October 8, 2018. A copy of the notification sent to the potentially impacted individuals is included with this letter, which informs these New York residents about the 12 months of credit monitoring and identity theft protection services that is being offered to them.

**3. Steps McGlinchey Stafford, PLLC has taken or plans to take relating to the potential incident**

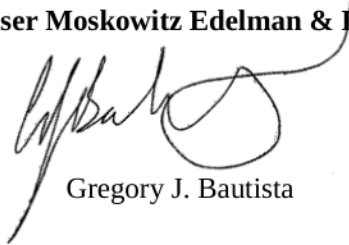
McGlinchey Stafford, PLLC has taken steps to prevent a similar event from occurring in the future, including reviewing and revising their information security policies and resetting employee's access credentials to ensure their systems are secure.

**4. Other notification and contact information**

If you have any additional questions, please contact me at [Gregory.Bautista@wilsonelser.com](mailto:Gregory.Bautista@wilsonelser.com) or (914) 872-7839.

Very truly yours,

**Wilson Elser Moskowitz Edelman & Dicker LLP**



Gregory J. Bautista



C/O ID Experts  
10300 SW Greenburg Rd. Suite 570  
Portland, OR 97223

[First Name] [Last Name]  
[Address 1] [Address 2]  
<<City>>, <<State>> <<Zip>>

To Enroll, Please Call: 800-939-4170 Or Visit: <a href="https://app.myidcare.com/account-creation/protect">https://app.myidcare.com/account-creation/protect</a> Enrollment Code: <<XXXXXXXXXX>>
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10/8/2018

Dear [First Name] [Last Name]:

We are writing to inform you of an incident that may have resulted in the disclosure of your name and Social Security number. As a current or former employee of McGlinchey Stafford PLLC, we take the security of your information very seriously and sincerely apologize for any inconvenience this incident may cause.

On September 7, 2018, we discovered that personal information in an employee's email account may have been accessed by an unauthorized third party as the result of a phishing attack. After learning that employees of the firm had received spam emails, we immediately engaged computer experts to determine whether information in the employee's account was at risk. Our investigation determined that an unknown, unauthorized third party gained access to the employee's account, and could have viewed documents that contained your name and Social Security number. The investigation did not identify specific activity around your information, but we are sending you this letter to provide you with resources and information you can use to protect yourself.

At this time, there is no indication that your information has been accessed or used by the unauthorized party; however, out of an abundance of caution, we have arranged for you to enroll with ID Experts®, an incident response and recovery services expert, to provide you with MyIDCare™ services at no cost to you. MyIDCare services include:

- ☐ 12 months Credit Monitoring and CyberScan monitoring;
- ☐ \$1,000,000 insurance reimbursement policy;
- ☐ Exclusive educational materials; and
- ☐ Fully managed Identity Theft Recovery Services (with this protection, MyIDCare will help you resolve issues if your identity is compromised).

We encourage you to contact ID Experts with any questions and to enroll in free MyIDCare services by calling 1-800-939-4170 or going to <https://app.myidcare.com/account-creation/protect>. Please note the deadline to enroll is January 8, 2019. Please review the *Additional Important Information* on the third and fourth pages of this letter to learn about the additional steps you can take to protect your information at no cost (for example, by asking a consumer reporting agency to place a fraud alert or security freeze on your consumer report information).

We want to assure you that we remain dedicated to protecting your personal information, and are continuing to take steps to prevent a similar event from occurring in the future, including reviewing and revising our policies and resetting employees' access credentials to ensure our systems are secure.

We sincerely regret any inconvenience that this incident may cause you, and remain dedicated to protecting your personal information. Should you have any questions or concerns about this incident, please contact 800-939-4170 Monday through Friday from 6 am - 5 pm Pacific Time or visit <https://app.myidcare.com/account-creation/protect> for more information.

Sincerely,

A handwritten signature in cursive script, appearing to read "Thad Hymel".

Thad Hymel  
Chief Information Officer  
McGlinchey Stafford, PLLC

### **Additional Important Information**

**For residents of Hawaii, Michigan, Missouri, Virginia, Vermont, and North Carolina:** It is recommended by state law that you remain vigilant for incidents of fraud and identity theft by reviewing credit card account statements and monitoring your credit report for unauthorized activity.

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**For residents of Illinois, Iowa, Maryland, Missouri, North Carolina, Oregon, and West Virginia:**

It is required by state laws to inform you that you may obtain a copy of your credit report, free of charge, whether or not you suspect any unauthorized activity on your account. You may obtain a free copy of your credit report from each of the three nationwide credit reporting agencies. To order your free credit report, please visit [www.annualcreditreport.com](http://www.annualcreditreport.com), or call toll-free at 1-877-322-8228. You can also order your annual free credit report by mailing a completed Annual Credit Report Request Form (available at <https://www.consumer.ftc.gov/articles/0155-free-credit-reports>) to: Annual Credit Report Request Service, P.O. Box 105281, Atlanta, GA, 30348-5281.

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**For residents of Iowa:**

State law advises you to report any suspected identity theft to law enforcement or to the Attorney General.

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**For residents of Oregon:**

State laws advise you to report any suspected identity theft to law enforcement, including the Attorney General, and the Federal Trade Commission.

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**For residents of Maryland, Rhode Island, Illinois, and North Carolina:**

You can obtain information from the Maryland and North Carolina Offices of the Attorneys General and the Federal Trade Commission about fraud alerts, security freezes, and steps you can take toward preventing identity theft.

**Maryland Office of the  
Attorney General**

Consumer Protection  
Division  
200 St. Paul Place  
Baltimore, MD 21202  
1-888-743-0023  
[www.oag.state.md.us](http://www.oag.state.md.us)

**Rhode Island Office of the  
Attorney General**

Consumer Protection  
150 South Main Street  
Providence RI 02903  
1-401-274-4400  
[www.riag.ri.gov](http://www.riag.ri.gov)

**North Carolina Office of the  
Attorney General**

Consumer Protection  
Division  
9001 Mail Service Center  
Raleigh, NC 27699-9001  
1-877-566-7226  
[www.ncdoj.com](http://www.ncdoj.com)

**Federal Trade Commission**

Consumer Response Center  
600 Pennsylvania Ave, NW  
Washington, DC 20580  
1-877-IDTHEFT (438-4338)  
[www.ftc.gov/idtheft](http://www.ftc.gov/idtheft)

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**For residents of Massachusetts:** It is required by state law that you are informed of your right to obtain a police report if you are a victim of identity theft

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**For residents of all states:**

**Fraud Alerts:** You can place fraud alerts with the three credit bureaus by phone and online with Equifax ([https://assets.equifax.com/assets/personal/Fraud Alert Request Form.pdf](https://assets.equifax.com/assets/personal/Fraud%20Alert%20Request%20Form.pdf)) or Experian (<https://www.experian.com/fraud/center.html>). A fraud alert tells creditors to follow certain procedures, including contacting you, before they open any new accounts or change your existing accounts. For that reason, placing a fraud alert can protect you, but also may delay you when you seek to obtain credit. As of September 21, 2018, initial fraud alerts last for one year. Victims of identity theft can also get an extended fraud alert for seven years. The phone numbers for all three credit bureaus are at the bottom of this page.

**Monitoring:** You should always remain vigilant and monitor your accounts for suspicious or unusual activity.

**Security Freeze:** You also have the right to place a security freeze on your credit report. A security freeze is intended to prevent credit, loans and services from being approved in your name without your consent. To place a security freeze on your credit report, you need to make a request to each consumer reporting agency. You may make that request by certified mail, overnight mail, or regular stamped mail, or by following the instructions found at the websites listed below. The following information must be included when requesting a security freeze (note that if you are requesting a credit report for your spouse or a minor under the age of 16, this information must be provided for him/her as well): (1) full name, with middle initial and any suffixes; (2) Social Security number; (3) date of birth; (4) current address and any previous addresses for the past five years; and (5) any applicable incident report or complaint with a law enforcement agency or the Registry of Motor Vehicles. The request must also include a copy of a government-issued identification card and a copy of a recent utility bill or bank or insurance statement. It is essential that each copy be legible, display your name and current mailing address, and the date of issue. As of September 21, 2018, it is free to place, lift, or remove a freeze. You may obtain a free security freeze by contacting any one or more of the three national consumer reporting agencies:

**Equifax Security Freeze**

P.O. Box 105788  
Atlanta, GA 30348  
[www.freeze.equifax.com](http://www.freeze.equifax.com)  
800-525-6285

**Experian Security Freeze**

P.O. Box 9554  
Allen, TX 75013  
[www.experian.com/freeze](http://www.experian.com/freeze)  
888-397-3742

**TransUnion (FVAD)**

P.O. Box 2000  
Chester, PA 19022  
[freeze.transunion.com](http://freeze.transunion.com)  
800-680-7289

More information can also be obtained by contacting the Federal Trade Commission listed above.

## Schnitzer, Steven

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**From:** breach.security@ag.ny.gov  
**Sent:** Monday, October 8, 2018 12:25 PM  
**To:** Breach Security  
**Subject:** NYS Security Breach Notification submission/NYAG Confirmation # SB46575  
**Attachments:** ATT00001.bin; McGlinchey---AG-Notification-letter---NY.pdf

### OFFICE OF THE ACTING ATTORNEY GENERAL BARBARA UNDERWOOD STATE OF NEW YORK DEPARTMENT OF LAW



Bureau of Internet and Technology  
28 Liberty Street  
New York, NY 10005  
Phone: (212)416-8433 | Fax: (212) 416-8369

Consumer Hotline  
(800)771-7755  
TDD (800) 788-9898  
<http://www.ag.ny.gov>

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**Submitted on:** 10/08/2018 12:25 PM

**Complaint ID:** SB46575

#### Entity Information

**Name:** McGlinchey Stafford, PLLC  
**Street Address:** 301 Main Street, Suite 1400  
**City/Town:** Baton Rouge  
**State:** LA  
**Zip:** 70801  
**Organization Type:** Other Commercial  
**Organization Size:** 501+  
**URL:**

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#### Breach Details

<b>Description of Breach:</b>	Unauthorized access (not including theft, loss or hacking)
<b>Type of attack:</b>	
<b>Other Description:</b>	
<b>Information acquired in combination with name or other personal identifier:</b>	Social security number
<b>Total persons affected (Including NYS residents):</b>	468
<b>New York State residents affected:</b>	6

<b>Do you believe that this security breach was part of a larger breach that likely affected other organizations?</b>	Yes
<b>Comments:</b>	email phishing attack
<b>If the number of NYS residents exceeds 5,000, have the consumer reporting agencies been notified?</b>	No
<b>Breach Occurred From:</b>	07/16/2018
<b>Breach Occurred To:</b>	08/06/2018
<b>Breach Discovered:</b>	09/07/2018

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#### **Other Information**

<b>Consumer notification date:</b>	10/08/2018
<b>Manner of notification to affected persons:</b>	Written
<b>List dates of any previous (within 12 months) breach notifications:</b>	
<b>Identity theft protection service offered:</b>	Yes
<b>Provider:</b>	ID Experts
<b>Duration:</b>	12 months
<b>Brief description of service:</b>	Credit Monitoring and CyberScan monitoring; \$1,000,000 insurance reimbursement; Fully managed Identity Theft Recovery Services.

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#### **Submitted By**

<b>Name:</b>	Gregory Bautista
<b>Title:</b>	Partner
<b>Firm name:</b>	Wilson Elser Moskowitz Edelman & Dicker LLP
<b>Telephone:</b>	914-872-7839
<b>Email:</b>	gregory.bautista@wilsonelser.com
<b>Relationship to entity whose information was compromised:</b>	Attorney
<b>Additional comments:</b>	